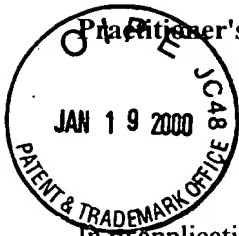


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RECEIVED

JAN 28 2000

#7  
JQJ  
2/7/00



Patent Docket No. 46793

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: W. Kaelin et al.  
Application No.: 09/269,321  
Filed: September 13, 1999  
For: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F  
RESPONSE PROMOTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT, PETITION AND FEE TO DELETE AND/OR  
ADD TO ORIGINAL ERRONEOUSLY NAMED INVENTOR(S) IN DECLARATION  
(37 C.F.R. § 1.48(a))

NOTE: 37 C.F.R. § 1.48(f) states: "If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship.

"(2) If the correct inventor or inventors are not named on filing a provisional application without a cover sheet under § 1.51(c)(1), the later submission of a cover sheet under § 1.51(c)(1) during the pendency of the application will act to correct the earlier identification of inventorship."

1. This amendment and petition is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on September 13, 1999.
2. Addition and/or Deletion of Inventor(s)

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

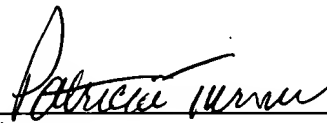
I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Date: 1/19/2000

Patricia Turner  
(type or print name of person certifying)

(Amendment, Petition and Fee to Delete and/or Add to Original Erroneously Named Inventor(s) in Declaration (37 C.F.R. § 1.48(a))—page 1 of 3)

01/21/2000 MARBWI 00000089 09269321

01 FC:122

130.00 OP

*(check and complete all applicable items)*

[X] Add the following previously unnamed person(s) as inventor(s) of this application:

Donald W. KUFE

Yoshinobu MANOME

Rakesh DATTA

[ ] Delete the following previously incorrectly named inventor(s)

3. Attachments

Attached is

(a) A statement from:

*(check items below which apply)*

[X] each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

[ ] each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

(c) written consent of the assignee *(if any of the original inventors executed an assignment)*. 37 C.F.R. § 1.48(a)(4).

(d) an assignment by each of the actual inventors.

*(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)*

4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required by is paid as follows:

[X] Enclosed is a check for \$130.00.

[ ] Charge Account 50-0850 for any fee deficiency.

[ ] Charge Account \_\_\_\_\_ the sum of \$130.00.

  
SIGNATURE OF PRACTITIONER

Reg. No. 30,628

Ronald I. Eisenstein  
(type or print name of practitioner)

Tel. No. (617) 345-6054

Peabody & Brown  
101 Federal Street  
P.O. Address

Customer No.

Boston, Massachusetts 02110



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD OF TARGETING MALIGNANT CELLS USING AN E2F RESPONSE PROMOTER

which is described and claimed in:

- ☐ the specification attached hereto.
- X the specification in U.S. Application Serial Number 09/269,321  
filed on March 24, 1999; and
- X the specification in PCT international application Number PCT/US97/17143, filed on  
24 September 1997; and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119:			
Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. §119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**Prior U.S. Applications or PCT International Applications Designating the U.S.-Benefit  
Under 35 U.S.C. § 120**

U.S. Applications		Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.				
Application No.	Filing Date	U.S. Serial No. Assigned		
PCT/US97/17143	24 September 1997		X	

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date
W. Kaelin, Jr. et al.	60/026,959	24 September 1996

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Ronald I. Eisenstein (Reg. No. 30,628)

David S. Resnick

(Reg. No. 34,235)

<b>SEND CORRESPONDENCE TO:</b> Ronald I. Eisenstein Peabody & Brown 101 Federal Street Boston, Massachusetts 02110	<b>DIRECT TELEPHONE CALLS TO:</b>  Ronald I. Eisenstein (617) 345-6054
--	---

2 0 1	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		<b>Kaelin, Jr.</b>	<b>William</b>	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
		<b>Boston</b>	<b>Massachusetts</b>	<b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE
		<b>12 Commonwealth Avenue</b>	<b>Boston</b>	<b>Massachusetts 02116</b>

2 0 2	FULL NAME OF INVENTOR	LAST NAME <b>FINE</b>	FIRST NAME <b>Howard</b>	MIDDLE NAME <b>A.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Boston</b>	STATE OR FOREIGN COUNTRY <b>Massachusetts</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>352 Commonwealth Avenue, Unit 4</b>	CITY <b>Boston</b>	STATE OR COUNTRY AND ZIP CODE <b>Massachusetts 02115</b>

2 0 3	FULL NAME OF INVENTOR	LAST NAME <b>KUFE</b>	FIRST NAME <b>Donald</b>	MIDDLE NAME <b>W.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Wellesley</b>	STATE OR FOREIGN COUNTRY <b>Massachusetts</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>179 Grove Street</b>	CITY <b>Wellesley</b>	STATE OR COUNTRY AND ZIP CODE <b>Massachusetts 02181</b>

2 0 4	FULL NAME OF INVENTOR	LAST NAME <b>MANOME</b>	FIRST NAME <b>Yoshinobu</b>	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY <b>Kawasaki City</b>	STATE OR FOREIGN COUNTRY <b>Japan</b>	COUNTRY OF CITIZENSHIP <b>Japan</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>6-8-27 Chiyogaoka, Asao-ku</b>	CITY <b>Kawasaki City, Kanagawa</b>	STATE OR COUNTRY AND ZIP CODE <b>Japan 215-0005</b>

2 0 5	FULL NAME OF INVENTOR	LAST NAME <b>DATTA</b>	FIRST NAME <b>Rakesh</b>	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201	Date:
Signature of Inventor 202	Date:
Signature of Inventor 203	Date:
Signature of Inventor 204 <i>Yoshinori Namine</i>	Date: <i>6/16/99</i>
Signature of Inventor 205	Date:



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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- ☐ the specification attached hereto.
- X the specification in U.S. Application Serial Number 09/269,321  
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Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119:			
Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. §119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:



**Prior U.S. Applications or PCT International Applications Designating the U.S.-Benefit  
Under 35 U.S.C. § 120**

U.S. Applications		Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.				
Application No.	Filing Date	U.S. Serial No. Assigned		
PCT/US97/17143	24 September 1997		X	

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date
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Ronald I. Eisenstein (Reg. No. 30,628)

David S. Resnick

(Reg. No. 34,235)

<b>SEND CORRESPONDENCE TO:</b> Ronald I. Eisenstein Peabody & Brown 101 Federal Street Boston, Massachusetts 02110	<b>DIRECT TELEPHONE CALLS TO:</b>  Ronald I. Eisenstein (617) 345-6054
--	---

2 0 1	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
		KAELIN, Jr.	William	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
		Boston	Massachusetts	USA
	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE	
	12 Commonwealth Avenue	Boston	Massachusetts 02116	

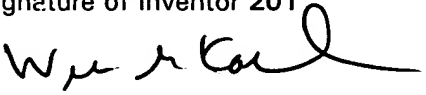
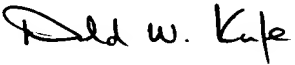
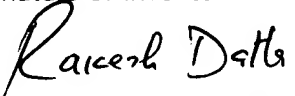
2 0 2	FULL NAME OF INVENTOR	LAST NAME <b>FINE</b>	FIRST NAME <b>Howard</b>	MIDDLE NAME <b>A.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Boston</b>	STATE OR FOREIGN COUNTRY <b>Massachusetts</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>352 Commonwealth Avenue, Unit 4</b>	CITY <b>Boston</b>	STATE OR COUNTRY AND ZIP CODE <b>Massachusetts 02115</b>

2 0 3	FULL NAME OF INVENTOR	LAST NAME <b>KUFE</b>	FIRST NAME <b>Donald</b>	MIDDLE NAME <b>W.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Wellesley</b>	STATE OR FOREIGN COUNTRY <b>Massachusetts</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>179 Grove Street</b>	CITY <b>Wellesley</b>	STATE OR COUNTRY AND ZIP CODE <b>Massachusetts 02181</b>

2 0 4	FULL NAME OF INVENTOR	LAST NAME <b>MANOME</b>	FIRST NAME <b>Yoshinobu</b>	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY <b>Kawasaki City</b>	STATE OR FOREIGN COUNTRY <b>Japan</b>	COUNTRY OF CITIZENSHIP <b>Japan</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>6-8-27 Chiyogaoka, Asao-ku</b>	CITY <b>Kawasaki City, Kanagawa</b>	STATE OR COUNTRY AND ZIP CODE <b>Japan 215-0005</b>

2 0 5	FULL NAME OF INVENTOR	LAST NAME <b>DATTA</b>	FIRST NAME <b>Rakesh</b>	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY <b>BROOKLINE</b>	STATE OR FOREIGN COUNTRY <b>MASSACHUSETTS</b>	COUNTRY OF CITIZENSHIP <b>INDIA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>147 BROOK STREET, UNIT 1</b>	CITY <b>BROOKLINE</b>	STATE OR COUNTRY AND ZIP CODE <b>MASSACHUSETTS 02445</b>

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201 	Date: 7/24/99
Signature of Inventor 202	Date:
Signature of Inventor 203 	Date: 6/30/99
Signature of Inventor 204	Date:
Signature of Inventor 205 	Date: 6/30/99

PEASODY & BROWN  
101 Federal Street  
Boston, Massachusetts 02110



Attorney's Docket No. 46793

Page 1 of 4

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

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which is described and claimed in:

- ☐ the specification attached hereto.
- ☒ the specification in U.S. Application Serial Number 09/269,321 filed on March 24, 1999; and
- ☒ the specification in PCT international application Number PCT/US97/17143, filed on 24 September 1997; and was amended on \_\_\_\_\_.

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Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. §119?
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Applications or PCT International Applications Designating the U.S-Benefit Under 35 U.S.C. §120				
U.S. Applications		Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.				
Application No.	Filing Date	U.S. Serial No. Assigned		
PCT/US97/17143	24 September 1997			X

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. §119(e))

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

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**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Ronald I. Eisenstein (Reg. No. 30,628)

David S. Resnick (Reg. No. 34,236)

<b>SEND CORRESPONDENCE TO:</b> Ronald I. Eisenstein Peabody & Brown 101 Federal Street Boston, Massachusetts 02110	<b>DIRECT TELEPHONE CALLS TO:</b> Ronald I. Eisenstein (617) 345-6054
--	---

201	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY AND ZIP CODE
		Kaelin, Jr.	William	
		Boston	Massachusetts	USA
		12 Commonwealth Avenue	Boston	Massachusetts 02116


2 0 2	FULL NAME OF INVENTOR	LAST NAME FINE	FIRST NAME Howard	MIDDLE NAME A.
	RESIDENCE & CITIZENSHIP	CITY Boston	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 352 Commonwealth Avenue, Unit 4	CITY Boston	STATE OR COUNTRY AND ZIP CODE Massachusetts 02115

2 0 3	FULL NAME OF INVENTOR	LAST NAME KUFE	FIRST NAME Donald	MIDDLE NAME W.
	RESIDENCE & CITIZENSHIP	CITY Wellesley	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 179 Grove Street	CITY Wellesley	STATE OR COUNTRY AND ZIP CODE Massachusetts 02181

2 0 4	FULL NAME OF INVENTOR	LAST NAME MANOME	FIRST NAME Yoshinobu	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Kawasaki City	STATE OR FOREIGN COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 6-8-27 Chiyogaoka, Asao-ku	CITY Kawasaki City, Kanagawa	STATE OR COUNTRY AND ZIP CODE Japan 215-0005

2 0 5	FULL NAME OF INVENTOR	LAST NAME DATTA	FIRST NAME Rakesh	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Brookline	STATE OR FOREIGN COUNTRY Massachusetts	COUNTRY OF CITIZENSHIP India
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 147 Brook Street, Unit 1	CITY Brookline	STATE OR COUNTRY AND ZIP CODE Massachusetts, 02445

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201	Date:
Signature of Inventor 202 	Date: 11/2/99
Signature of Inventor 203	Date:
Signature of Inventor 204	Date:
Signature of Inventor 205	Date:



Docket No. 46793

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: W. Kaelin et al.  
SERIAL NO.: 09/269,321  
FILED: March 24, 1999  
FOR: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F  
RESPONSE PROMOTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**STATEMENT FROM DONALD W. KUFÉ**

I hereby declare as follows:

1. I am an inventor for the above-identified patent application, residing at 179 Grove Street, Wellesley, Massachusetts 02181.
2. The error in inventorship occurred without deceptive intent on my part.
3. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 6/30/99

Donald W. Kufe  
Donald W. Kufe





Docket No. 46793

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: W. Kaelin et al.  
SERIAL NO.: 09/269,321  
FILED: March 24, 1999  
FOR: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F  
RESPONSE PROMOTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**STATEMENT FROM RAKESH DATTA**

I hereby declare as follows:

1. I am an inventor for the above-identified patent application, residing at  
141 BROOK STREET #1, BROOKLINE, MA 02445

2. The error in inventorship occurred without deceptive intent on my part.

3. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 6/30/99

Rakesh Datta  
Rakesh DATTA



Docket No. 46793

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: W. Kaelin et al.  
SERIAL NO.: 09/269,321  
FILED: March 24, 1999  
FOR: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F  
RESPONSE PROMOTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

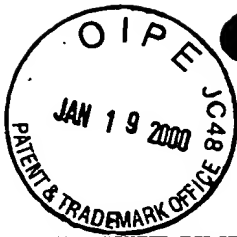
STATEMENT FROM HOWARD A. FINE

I hereby declare as follows:

1. I am an inventor for the above-identified patent application, residing at 352 Commonwealth Avenue, Unit 4, Boston, Massachusetts 02115.
2. The error in inventorship occurred without deceptive intent on my part.
3. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 10/18/99

91 AR  
Howard A. FINE



Docket No. 46793

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: W. Kaelin et al.  
SERIAL NO.: 09/269,321  
FILED: March 24, 1999  
FOR: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F  
RESPONSE PROMOTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**STATEMENT FROM WILLIAM KAE LIN, JR.**

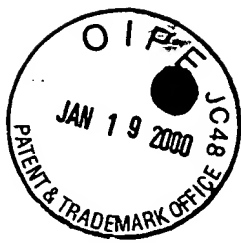
I hereby declare as follows:

1. I am an inventor for the above-identified patent application, residing at 12 Commonwealth Avenue, Boston, Massachusetts 02116.
2. The error in inventorship occurred without deceptive intent on my part.
3. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 7/27/99

  
\_\_\_\_\_

William KAE LIN, Jr.



Docket No. 46793

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: W. Kaelin et al.  
SERIAL NO.: 09/269,321  
FILED: March 24, 1999  
FOR: METHOD OF TARGETING MALIGNANT CELLS USING AN E2F  
RESPONSE PROMOTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**STATEMENT FROM YOSHINOBU MANOME**

I hereby declare as follows:

1. I am an inventor for the above-identified patent application, residing at 6-8-27 Chiyogaoka, Asao-ku, Kawasaki City, Kanagawa, Japan 215-0005.
2. The error in inventorship occurred without deceptive intent on my part.
3. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 6/16/99

Yoshinobu Manome  
Yoshinobu MANOME

Practitioner's Docket No. 938/46793

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re application of: H. Fine, et al.

Application No.: 09/269,321 Group No.: Not yet assigned

Filed: March 24, 1999

Examiner: Not yet assigned

For: Method of Targeting Malignant Cells Using an E2F Response Promoter

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**ASSENT OF ASSIGNEE TO CORRECTION  
AND/OR ADDITION OF INVENTOR(S)**

Dana Farber Cancer Institute, Inc.

(type or print name of assignee)

44 Binney Street

Address

Boston, MA 02115

**Assignment**

☐ recorded on \_\_\_\_\_

Reel \_\_\_\_\_

Frame \_\_\_\_\_

☒ recorded herewith

☒ A separate ☐ "ASSIGNMENT" (DOCUMENT) COVER SHEET is attached.

or

☐ FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed

☒ herewith.

☐ on \_\_\_\_\_

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: 1/11/2000

Maria R. Valinch

Signature

Maria R. Valinch

(type or print name of person certifying)

**ASSIGNEE STATEMENT**

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.



**Signature**

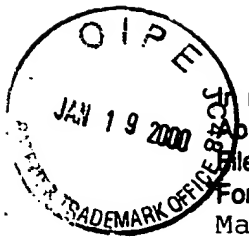
Pamela D. Arinello, Patent Counsel

*(type or print name and title of person authorized to sign  
on behalf of assignee)*

Practitioner's Docket No. 938/46793

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Continuation application of: Fine, et. al

Application No.: 09/ 269,321

Group No.: Not yet assigned

Filed: March 24, 1999

For: Method of Targeting

Examiner: Not yet assigned

Malignant Cells Using an E2F Response Promoter

Patent\*:

Issue Date:

Reexamination No.:

Issue Date:

Reissue:

Issue Date:

\*NOTE: Insert name(s) of inventor(s) and title for patent.

Assistant Commissioner for Patents

Washington, D.C. 20231

**STATEMENT UNDER 37 C.F.R. § 3.73(b)—  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office.

Maria R. Valinch  
Signature

Date: 1/11/2000

Maria R. Valinch

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by Express Mail must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, . . . , patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: "Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18." Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

### IDENTIFICATION OF ASSIGNEE

2. Dana-Farber Cancer Institute, Inc.  
Name of assignee  
Corporation  
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

### PERSON AUTHORIZED TO SIGN

3. Pamela D. Ariniello  
(type name of person authorized to sign on behalf of assignee)  
Patent Counsel  
Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

[Author's Note: The requirement for an oath or declaration for this statement by a person not a registered practitioner was rescinded by the rules effective December 1, 1997.]

(complete the following, if applicable)

- ☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.



### BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_
2. ☒ An assignment (document) separately being submitted for recordal herewith.

### AND/OR

B. ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_  
Name of inventor(s)

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

2. From: \_\_\_\_\_  
Name of inventor(s) or assignee

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

3. From: \_\_\_\_\_  
Name of inventor(s) or assignee

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

*(check item below, and add details, if applicable)*

- ☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

### COPIES OF DOCUMENTS IN CHAIN OF TITLE

*(complete this item, if copies are being sent)*

- ☐ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input type="checkbox"/> A	<input type="checkbox"/> 1	<input type="checkbox"/> 2
<input type="checkbox"/> B	<input type="checkbox"/> 1	<input type="checkbox"/> 2 <input type="checkbox"/> 3



(Signature of authorized person)

Pamela D. Arinello

(type or print name of authorized person)

Patent Counsel

Title of authorized person

Reg. No.: 30,628

Tel. No.: (617) 345-6054

Customer No.:



SIGNATURE OF PRACTITIONER

Ronald I. Eisenstein

(type or print name of practitioner)

Nixon Peabody LLP

P.O. Address

101 Federal Street

Boston, MA 02110